

FILED

JUL 22 2013

CLERK, U.S. DISTRICT COURT
DISTRICT OF NEVADA

BY _____ DEPUTY

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

GERARDO ORTEGA,

Defendant.

2:11-CR-396-APG-(PAL)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on July 22, 2013, defendant GERARDO ORTEGA pled guilty to Count One of a Six-Count Criminal Indictment charging him with Conspiracy to Possess Methamphetamine with Intent to Distribute, in violation of Title 21, United States Code, Sections 841(a)(1) and 846. Criminal Indictment, ECF No. 1; Plea Agreement, ECF No. ____.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment and the offense to which defendant GERARDO ORTEGA pled guilty. Criminal Indictment, ECF No. 1; Plea Agreement, ECF No. ____.

The following asset is subject to forfeiture pursuant to Title 21, United States Code, Section 853(a)(1):

1. \$5,304.00 in United States Currency ("property").

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

1 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
2 United States of America should seize the aforementioned property.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
4 GERARDO ORTEGA in the aforementioned property is forfeited and is vested in the United States
5 of America and shall be safely held by the United States of America until further order of the Court.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
7 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
8 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
9 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
10 the name and contact information for the government attorney to be served with the petition,
11 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
13 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
15 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
16 following address at the time of filing:

17 Michael A. Humphreys
18 Assistant United States Attorney
19 Daniel D. Hollingsworth
20 Assistant United States Attorney
21 Lloyd D. George United States Courthouse
22 333 Las Vegas Boulevard South, Suite 5000
23 Las Vegas, Nevada 89101

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
25 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
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1 following publication of notice of seizure and intent to administratively forfeit the above-described
2 property.

3 DATED this 22nd day of July, 2013.

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6 UNITED STATES DISTRICT JUDGE